

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

— — —

CAROL PRIDEMORE-TURNER, Surviving
Spouse of Clarence Melvin Turner,
Deceased,

No. 3:20-cv-00318-DCLC-HBG

Plaintiff,

v.

UNIVERSITY HEALTH SYSTEM, INC.; and
JAMES MARTIN McLOUGHLIN, MD,

Defendants.

/

AGREED QUALIFIED PROTECTIVE ORDER FOR THE PRODUCTION OF MEDICAL INFORMATION

By agreement of the parties, and pursuant to the *Federal Rules of Civil Procedure* and the inherent powers of this Court, it is hereby ORDERED as follows:

1. The defendant, University Health System, Inc., or its representatives, O'Neil, Parker & Williamson, PLLC, and the defendant, James Martin McLoughlin, MD, or his representatives, London & Amburn, P.C., are authorized to obtain medical information about plaintiff's decedent, **CLARENCE MELVIN TURNER** (DOB: 02/04/1942);
2. Such medical information includes, but is not limited to, protected health information as defined at 45 CFR 164.500, et seq. (the HIPAA Privacy Rule);
3. The above-named defendants and/or their representatives are allowed to examine, inspect and copy any and all medical information maintained by health care and mental health care providers, including but not limited to medical records, psychological / psychiatric and other mental health counseling records, medical reports, medical charts, complete office records, x-rays, slides, diagnostic studies, pharmacy / prescription records,

psychiatric reports, psychological reports, and billing records, including letters and reports from other healthcare providers, with respect to the treatment, care and evaluation of **CLARENCE MELVIN TURNER**'s condition, for as far back as such information and records exist to the present;

4. The costs of copying any medical information and/or records obtained using this Order will be paid by the requesting defendants or their representatives;
5. Each defendant will be allowed to provide a copy of any written medical information or records obtained to its co-defendant or their representatives;
6. Any defendant or their representative who obtains medical information or records using this Order shall furnish the same to plaintiff's counsel at no charge within fourteen (14) days of receipt, and in no event shall such medical information or records be introduced or used in any deposition or hearing in this matter, unless the same are shared with plaintiff's counsel at least five (5) days prior to such deposition or hearing;
7. Defendants or their representatives shall provide written notice to the plaintiff's counsel if medical information or records are reviewed but not copied. Any such notice shall specify which information or records have been reviewed but not copied;
8. The medical information and records authorized to be obtained pursuant to this Order shall be used only for purposes of this litigation;

9. All medical information and records obtained pursuant to this Order and all copies thereof must be either returned to the entity providing the medical information or records, destroyed after the conclusion of this litigation and resolution of all disputes and any appeal, or otherwise stored in a secure location until they can be destroyed.

IT IS SO ORDERED.



United States Magistrate Judge

APPROVED FOR ENTRY:

BY: /s/ Grant E. Mitchell

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